

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

THERESA SMITH, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.:
)	1:22-cv-120-JB-B
FELDER SERVICES, LLC,)	
)	
Defendant.)	

**JOINT MOTION FOR FINAL APPROVAL OF SETTLEMENT AND TO
APPEAR TELEPHONICALLY OR VIA VIDEOCONFERENCE**

Plaintiff Theresa Smith (“Named Plaintiff”), individually and on behalf of others similarly situated, and Defendant Felder Services, LLC, by and through their undersigned counsel, jointly submit their Motion for Final Approval of Settlement and to Appear Telephonically or Via Videoconference, and in support thereof they do hereby state and allege as follows:

1. The parties previously moved this Court for preliminary approval of their settlement and for approval of their proposed method of providing Notice and Consent forms to a putative collective of settlement members. *See* ECFs Nos. 31-32.
2. Preliminary approval of the settlement was granted by this Court on

March 21, 2023. *See* ECF No 33.

3. Following the Court's preliminary approval, the Sanford Law Firm as Settlement Administrator sent Notice of Collective Action Settlement forms and accompanying Consent to Join forms to the 639 Proposed Settlement Collective members.

4. The notice, opt-in, and objection period has ended. Of the 639 Proposed Settlement Collective members, 150 have submitted Consent to Join forms and joined the case. With Named Plaintiff, the total number of Plaintiffs is 151.

5. The Settlement Collective members have submitted no objections to the settlement.

6. The settlement fund payable to the participating settlement collective members totals \$22,561.89.

7. With the \$2,000.00 Service Award and \$6,566.00 Additional Claim Payment payable to Named Plaintiff, the total settlement amount payable to Plaintiffs is \$31,127.89.

8. Based on Plaintiffs' counsel's actual billing to date as well as the anticipated work in preparing and attending the hearing set for August 21, Defendant agrees to pay Plaintiffs' counsel the sum of \$22,042.30 in fees and costs. This is an amount separate from the funds payable to Plaintiffs. Plaintiffs'

counsel will provide any additional information justifying this award during the hearing or in the form of supplemental briefing, as required by the Court.

9. Counsel for the Parties also request that the Court allow appearance for the August 21 hearing via telephone or videoconference. Plaintiff's counsel is based in Little Rock, Arkansas and arranging for travel will make it more difficult to ensure availability.

WHEREFORE, premises considered, the parties respectfully request that the Court grant final approval of their settlement, allow for counsel to appear at the August 21 hearing via telephone or videoconference, and for all other necessary and proper relief.

Respectfully submitted this the 31st day of July, 2023.

/s/ Josh Sanford

Josh Sanford

Attorneys for Plaintiff

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/s/ Melisa C. Zwilling

Melisa C. Zwilling

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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of July, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all parties.

/s/ Josh Sanford

Josh Sanford